

# House Study Bill 682

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON PAULSEN)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to leaving an unattended child or not properly  
2 supervised child in a motor vehicle, and providing a penalty.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 6468HC 81  
5 jm/cf/24

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1 1 Section 1. NEW SECTION. 321.8A UNATTENDED OR NOT  
1 2 PROPERLY SUPERVISED CHILD IN A MOTOR VEHICLE == PUBLICATION.  
1 3 The department shall provide information to the public  
1 4 concerning the hazards of leaving a child unattended or not  
1 5 properly supervised in a motor vehicle. The department is  
1 6 encouraged to include such information in the publication  
1 7 distributed pursuant to section 321.15.  
1 8 Sec. 2. NEW SECTION. 321.276 UNATTENDED OR NOT PROPERLY  
1 9 SUPERVISED CHILD IN A MOTOR VEHICLE.  
1 10 A person shall not leave a child six years of age or  
1 11 younger in a motor vehicle unattended or under the supervision  
1 12 of a person who is eleven years of age or younger. A person  
1 13 does not violate this section if the person can maintain  
1 14 visual contact with the child. A person who violates this  
1 15 section commits a simple misdemeanor punishable as a scheduled  
1 16 violation under section 805.8A, subsection 14, paragraph "j".  
1 17 Sec. 3. Section 602.8108, subsection 2, Code Supplement  
1 18 2005, is amended to read as follows:  
1 19 2. Except as otherwise provided, the clerk of the district  
1 20 court shall report and submit to the state court  
1 21 administrator, not later than the fifteenth day of each month,  
1 22 the fines and fees received during the preceding calendar  
1 23 month. Except as provided in subsections 3, 4, 5, 7, 8, ~~and~~  
1 24 9, ~~and 11~~, the state court administrator shall deposit the  
1 25 amounts received with the treasurer of state for deposit in  
1 26 the general fund of the state. The state court administrator  
1 27 shall report to the legislative services agency within thirty  
1 28 days of the beginning of each fiscal quarter the amount  
1 29 received during the previous quarter in the account  
1 30 established under this section.  
1 31 Sec. 4. Section 602.8108, Code Supplement 2005, is amended  
1 32 by adding the following new subsection:  
1 33 NEW SUBSECTION. 11. The state court administrator shall  
1 34 allocate fifty percent of the fines and fees attributable to a  
1 35 violation of section 321.276 to the state department of  
2 1 transportation to be used for the provision of information as  
2 2 provided in section 321.8A.  
2 3 Sec. 5. Section 805.8A, subsection 14, Code Supplement  
2 4 2005, is amended by adding the following new paragraph:  
2 5 NEW PARAGRAPH. j. UNATTENDED CHILD IN A MOTOR VEHICLE.  
2 6 For a violation under section 321.276, the scheduled fine is  
2 7 one hundred dollars.  
2 8 EXPLANATION  
2 9 This bill creates a criminal offense for leaving an  
2 10 unattended or not properly supervised child in a motor  
2 11 vehicle.  
2 12 The bill provides that a person shall not leave a child in  
2 13 a motor vehicle unattended or under the supervision of a  
2 14 person who is 11 years of age or younger. A person who is  
2 15 able to maintain visual contact with the child in the motor  
2 16 vehicle does not violate the bill.  
2 17 The bill provides that a person who violates the bill  
2 18 commits a simple misdemeanor subject to a scheduled fine of

2 19 \$100.

2 20       The bill provides that 50 percent of the fines and fees  
2 21 collected for a violation of the bill shall be used by the  
2 22 department of transportation to publicize the hazards of  
2 23 leaving an unattended or not properly supervised child in a  
2 24 motor vehicle.  
2 25 LSB 6468HC 81  
2 26 jm:nh/cf/24